



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

**REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866**

JUL 17 2009

Jeremy Colangelo-Bryan
Manager, Capital Planning
NJ TRANSIT
One Penn Plaza East
Newark, New Jersey 07105-2245

Dear Mr. Colangelo-Bryan:

The Environmental Protection Agency (EPA) has reviewed the Federal Transit Administration (FTA) and NJ TRANSIT Supplemental Environmental Assessment (EA) on the Proposed New Jersey-Pennsylvania Lackawanna Cut-Off Passenger Rail Service Restoration Project. On July 8, 2008, FTA issued an EA on the Project. The EA evaluated the Minimal Operable Segment (MOS) and the non-MOS along the 133 mile corridor. FTA issued a finding of no significant impact (FNSI) on the MOS on September 12, 2008. The FNSI was issued only on the MOS because FTA determined that information was needed to further analyze the impacts of the non-MOS portion of the Project on wetlands and threatened and endangered species habitat. This Supplemental EA provides additional analysis on the non-MOS.

The proposed project involves restoration of passenger rail service from Scranton, Pennsylvania (PA) to midtown Manhattan, New York/Hoboken, New Jersey (NJ). The project would utilize 133 miles of existing rail right-of-way, a portion of which has been inactive since 1979. Proposed construction includes a single-track commuter rail line from Scranton, PA to Port Morris, NJ, comprising a distance of 88 miles. The MOS would restore commuter rail service from a new station in Andover, NJ to Hoboken, NJ, a distance of 52.3 miles. A new single track would be constructed from Port Morris to Andover, a distance of 7.3 miles. Several stations will be rebuilt or newly constructed as a result of this project. Rail cars would be maintained at the existing Port Morris Yard facility.

EPA offers the following comments on the supplemental document.

- We are puzzled by the statement that Morris County was delisted as a nonattainment area for PM_{2.5}; please revisit such statements in the document.
- To more fully appreciate the overall impacts, it would be helpful to have a complete set of tentative project designs and layouts which include the potential placement locations for the staging areas as well as station designs.

- If there are any hazardous substances in the proposed project areas, it would be helpful to identify the types of hazards/substances that have been found and detail the plans for any necessary remediation.
- Per the Clean Water Act (CWA) Section 404(b)(1) Guidelines, wetland impacts need to be avoided and minimized. It may be helpful to include information on the functions and values of delineated wetland areas, especially if this EA is going to be used to support future CWA Section 404 permits. Wetlands and aquatic resources along the right-of-way path should be clearly defined in terms of size, type, location relative to the right-of-way, and amount of proposed impact.
- Finally, please provide more detail about work to be completed on the Delaware River Bridge and include plans demonstrating that there will be no in-water construction.

EPA would like to use this opportunity, to encourage the NJ TRANSIT and developers to implement greener practices and techniques during the construction and operation of the project. For example, to meet electrical needs during construction and operation of the train stations, EPA recommends obtaining electricity from alternative and/ or renewable sources. The New Jersey Board of Public Utilities offers the newly developed Renewable Energy Incentive Program for 2009. The program provides incentives and support services needed for participants to build renewable energy projects using solar, wind and biopower technologies. In addition, the Department of Energy's "Green Power Network" (GPN) provides information and markets that can be used to supply alternative generated electricity. The following link identifies several suppliers of renewable energy in New Jersey.

http://apps3.eere.energy.gov/greenpower/buying/buying_power.shtml?state=NJ

ENERGY STAR Commercial Building Design has successfully delivered energy and cost savings across the United States and in 2007 avoided greenhouse gas emissions equivalent to those from 27 million cars, while saving businesses, organizations, and consumers about \$16 billion. The following website provides information about commercial buildings to help architects make informed decisions about energy efficiency during the design process.

http://www.energystar.gov/index.cfm?c=new_bldg_design.new_bldg_design

Low Impact Development (LID) is a greening approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. <http://www.epa.gov/nps/lid/>

The WaterSense label indicates products and programs that are both high-performance and water efficient. It is estimated that WaterSense label products can save as much as 11,000 gallons of

water per year. This website provides EPA-issued specifications that outline the requirements that products and programs should meet to earn the WaterSense label.

<http://www.epa.gov/watersense>

Finally, we ask that NJ TRANSIT encourage the developer to consider use of recycled industrial materials, such as coal ash in concrete, which can reduce the overall environmental footprint of the project. The environmental benefits include reduced greenhouse gas emissions, reduced land disposal requirements, and reduced utilization of virgin resources. Information on recycled materials can be found at www.epa.gov/osw/conserve/rrr/imr/indust.htm.

Thank you for the opportunity to comment on the Supplemental EA. Should you have any questions concerning this letter, please contact Charles Harewood of my staff at (212) 637-3753.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Grace Musumeci", with a stylized flourish at the end.

Grace Musumeci, Chief
Environmental Review Section

